

Serial No. 10/662,727

Docket No. HRT0144CON

REMARKS

In response to the Restriction Requirement dated September 19, 2005, the time for response having been extended by petition, Applicant elects the invention defined by the Examiner as Invention V relating to claims 21 and 22, without traverse. Applicants reserve the right to file divisional applications to pursue claims for the remaining inventions. Claims 1-20 are canceled.

Applicants point out that a preliminary amendment was filed on the filing date of the application (September 19, 2005) that preliminarily amended the application to cancel claims 1-20, leaving claims 21 and 22 as pending. A copy of the preliminary amendment is attached as it also amended the specification to correct the related patent information paragraph.

Respectfully submitted,

/Brian S. Tomko/

By: _____

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Dated: November 21, 2005

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Docket No. HRT0144CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Brian Donlon et al.
Appln. No. : Art Unit :
Filed : Examiner :
Title : Less Invasive Devices and Methods for Cardiac Valve Surgery

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
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September 15, 2003

(Date of Deposit)

Brian S. Tomko

(Name of applicant, assignee, or Registered Representative)

BSR

(Signature)

September 15, 2003

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Dear Sir:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3
of this paper.

Remarks/Arguments begin on page 4 of this paper.

Amendments to the Specification:

Please replace the first paragraph with the following amended paragraph:

Cross-Reference to Related Applications

This application is a continuation of application Serial No. 09/416,492, filed October 12, 1999, which is a continuation of co-pending application Serial No. 08/594,870, filed January 31, 1996, now U.S. patent No. 6,010,531, which is a continuation-in-part of Serial No. 08/485,600, filed June 7, 1995, now abandoned, which is a continuation-in-part of Serial No. 08/281,962 now abandoned, which is a continuation-in-part of Serial No. 08/163,241, now U.S. Patent No. 5,571,215, which is a continuation-in-part of Serial No. 08/023,778, now U.S. Patent No. 5,452,733. This application is also a continuation-in-part of Serial No. 08/486,941, now U.S. Patent No. 5,799,661. The complete disclosure of each of the above-referenced applications is incorporated herein by reference for all purposes.

Amendments to the Claims:

21. (Currently amended) A surgical access device for use in a cardiac valve replacement procedure, comprising:

a body having a distal end, a proximal end, and a channel therebetween defining an axial direction, the distal end being configured for positioning through a passage in a body wall into a body cavity and the channel being configured for positioning a replacement valve therethrough into the body cavity; and

a retainer coupled to the body near the distal end, the retainer being movable between a collapsed configuration suitable for positioning through the body wall and an expanded configuration adapted to engage an interior surface of the body wall, the retainer having a dimension generally perpendicular to the axial direction which is less than the width of the passage in the collapsed configuration and substantially greater than the width of the passage in the expanded configuration.

22. (Currently amended) A surgical access device for use in a cardiac valve replacement procedure, comprising:

body having a distal end, a proximal end, and a channel therebetween defining an axial direction, the distal end being configured for positioning through a passage in a body wall into a body cavity and the channel being configured for positioning a surgical instrument therethrough into the body cavity;

retainer coupled to the body near the distal end, the retainer being movable between a collapsed configuration suitable for positioning through the body wall and an expanded configuration adapted to engage an interior surface of the body wall, the retainer having a dimension generally perpendicular to the axial direction which is less than the width of the passage in the collapsed configuration and substantially greater than the width of the passage in the expanded configuration; and

an obturator removably positionable in the channel and having a distal end, a proximal end, a movable coupling near the distal end configured to engage the retainer, and an actuator near the proximal end for moving the coupling so as to move the retainer between the collapsed and expanded configurations.

REMARKS/ARGUMENTS

Claims 21 and 22 remain in this application. Claims 1-20 have been canceled.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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